

AMENDMENTS TO THE DRAWINGS

The attached complete set of drawings (36 sheets, 22 figures) replaces the original 36 sheets of drawings.

Attachment: Replacement sheets (36)

REMARKS

Claims 83, 86, and 87 are pending. Claims 1-82, 84, 85, and 88-110 have been canceled. No new matter has been added by way of these amendments, which are supported by the claims as originally filed. Reconsideration of the pending claims in view of the amendments and the remarks below is respectfully requested.

The Specification

The specification has been amended to update the claim for priority, provide the complete address of the ATCC, and to recite correctly the various trademarks appearing in the specification. Because the Examiner rejected the previous substitute specification, Applicants have made these amendments to a new substitute specification submitted with this response. Applicants submit that no new matter was added. A “clean” version of the specification is provided, as well as a marked up version showing all the changes to the specification of record. It is entitled: “**VERSION WITH MARKINGS TO SHOW CHANGES MADE**”. In addition, Applicants note that the tables from the original application are being resubmitted on compact disc for ease of handling by the Patent Office.

The Drawings

Applicants submit with this response a new set of drawings which satisfy the statutory requirements.

Correction of Bibliographical Information

Applicants request the correction of a typographical error in the Continuity Information as provided by the Initial Application Data Sheet. The present application claims priority to Application Serial No. 09/799,250, not Application Serial No. 09/779,250. A Supplemental Application Data Sheet is filed with this response to reflect this correction.

The Pending Claims are Definite

Claims 83-85 stand rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. The Examiner objected to the use of the phrase “121P1F1 gene.” While Applicants disagree with the Examiner, this terminology has been deleted from the pending claims and replaced with sequence identification numbers.

The Pending Claims are Enabled

Claims 83 and 84 stand rejected under 35 U.S.C. § 112, first paragraph for allegedly not being supported by an enabling disclosure. The Examiner took issue with claim language directed to variant that contain an amino acid substitution, addition or deletion relative to SEQ ID NO: 2. Applicants have deleted this claim language, which is sufficient to overcome the present rejection. The claims now recite particular variants.

The Pending Claims are Supported by an Adequate Written Description

Claims 83 and 84 stand rejected under 35 U.S.C. § 112, first paragraph for allegedly not being supported by an adequate written description. The Examiner again took issue with claim language directed to variant that contain an amino acid substitution, addition or deletion relative to SEQ ID NO: 2. Applicants have deleted this claim language, which is sufficient to overcome the present rejection. The claims now recite particular variants.

The Pending Claims are Novel over Tang et al.

Claims 83 and 84 stand rejected under 35 U.S.C. § 102(e), as allegedly being anticipated by Tang et al., filed July 19, 2000. The Tang et al. reference discloses a peptide which allegedly is 100% identical to SEQ ID NO:2. The Examiner interpreted the variant claim language to encompass the sequence disclosed in Tang et al. The pending claims recite proteins comprising amino acid sequences SEQ ID NO: 5, SEQ ID NO: 9, and SEQ ID NO: 11. These sequences differ from those of the Tang et al. references. As such, this reference does not anticipate the pending claims.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **511582003420**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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